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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,851	10/17/2003	Susan B. Cirulli	END920030048US1	9562

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HOFFMAN WARNICK LLC  
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ALBANY, NY 12207

EXAMINER
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POND, ROBERT M

ART UNIT	PAPER NUMBER
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3625

NOTIFICATION DATE	DELIVERY MODE
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06/03/2011

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTOCommunications@hoffmanwarnick.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/687,851	<b>Applicant(s)</b> CIRULLI ET AL.	
	<b>Examiner</b> ROBERT POND	<b>Art Unit</b> 3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2011.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Amendment***

The Applicants amended claims 1 and 3 in the reply entered 21 March 2011. Claims 10-31 were canceled by previous amendment(s). All pending claims 1-9 were examined in this final office action necessitated by amendment.

### ***Response to Arguments***

Applicants' arguments, see Remarks filed 21 March 2011 with respect to the rejection(s) of claims 1-9 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn as necessitated by amendment. However, upon further consideration, Adams in view of Dougherty and Gune were applied as necessitated by amendment. The amendment to claim 1 does not alter the outcome of the claim as a whole, however, Dougherty in combination with Adams addresses the issue of data for rules as applied by Adams.

### ***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

- 1. Claims 1, 2 and 5-9 are rejected under 35 USC 103(a) as being unpatentable over Adams (Paper #20101213, US 7,117,165) in view of Dougherty (US 6,003,666) and Gune (Paper #20100718 mailed 22 July 2010, US 7,131,071 which incorporates by reference in its entirety US 2003/0204427 herein Gune '427, Paper #20100130).**

Adams teaches a system and methods of automating the entire acquisition cycle by incorporating all the functions that make up the purchasing process from request to payment. See at least col. 1, lines 39-62. Adams further teaches:

- Regarding claim 1. receiving an item request for an item from a requestor; wizard walks a requester through the process of submitting a purchase request comprising line items to the system. Adams: See at least col. 3, line 24-col. 4, line 30; col. 7, line 18-col. 8, line 50.
- Regarding claim 1. dynamically generating an approval list for the item request based on application of a set of rules to the item, the approval list being a hierarchy of approvers from which approval must be obtained; modification of any purchase requisition field by an approver results in the system recalculating (note: dynamic) the required approvals and invalidates any existing approvals for that line item or for the entire requisition. Modifying any field may trigger the addition of new approvers into the approval chain. Adams: See at least col. 11, lines 55-62. entering ad-hoc items not on the approved list of items will trigger new approval rules (e.g. adding purchasing department to the approval list). Adams: See

at least col. 3, lines 46-56. determines the approval path for the requisition using the approval rules defined in the business rules for the company.

Adams: See at least col. 10, lines 50--54. When a request is submitted, the system checks the approval rules of the company, decides which users need to approve the request (note: automatic determination of approvers) and in what order (note: chain of command) and then notifies the first approver that there is a requisition waiting for attention. Each approver sees new requisitions in a folder of incoming requisitions and will need to take action to move it to a different folder. Adams: See at least col. 5, line 59-col. 6, line 11; col. 10, lines 60-67. high level approver/ low level approver (note: hierarchy of approvers). Adams: See at least col. 12, lines 11-16. More on rules. Adams: See at least col. 16, line 56-col. 17, line 14.

Adams teaches all the above as noted under the 103(a) rejection and teaches dynamically generating an approval list for the item request based on application of a set of rules to the item, the approval list being a hierarchy of approvers from which approval must be obtained. Adams further teaches i) inspecting the approval rule of the company, deciding who needs to approve the request and notifying the first required approvers (Adams: see col. 4, lines 18-24), ii) recognizing flexibility and configurability are important to the design, because each company wants to maintain slightly different data and enforce slightly different business

rules (Adams: see at least col. 5, lines 44-50), iii) in support the flexibility goal, designing the system to allow companies to customize the set of data fields, recognizing that every company has a slightly different set of information that must be kept (Adams: see at least col. 5, lines 44-50), iv) approval rules are the conditions that a company uses to decide which approvers are required for a particular requisition (Adams: see at least col. 5, lines 59-66). For example, an approval rule may be expressed as a set of conditional expressions, such as "IF the amount of this purchase is over \$25,000 and it is for software, THEN the Information Systems department must approve the purchase." (Adams: see col. 5, line 66-col. 6, line 3) and v) by the above example item-based rules (e.g. software over \$25,000 require ....). Adams further teaches requiring additional approvers (e.g. Purchasing Department/Purchasing Agent) to be added to the approver's list based on the item itself being deemed an ad-hoc item Adams (Adams: see at least col. 9, lines 17-20). Adams, however, does not expressly disclose the set of rules including safety-based rules. These differences, however, are only found in the data stored in the approver system. Data identifying a different item (e.g. an item other than software) may require a different approver. On the other hand, Dougherty teaches the shipment of hazardous materials is strictly regulated by national and international organizations for the safe transportation and handling by air transportation service providers. For example, if the requested item was classified as a

hazardous liquid, there would be rules pertaining to safe transportation, packaging and handling. In particular the following rule applies according to Dougherty for a hazardous liquid to qualify under "Dangerous Goods in Excepted Quantities:" no more than 30ml of a hazardous liquid or 30 grams of a hazardous solid can be shipped within a single bottle.

Personnel in the Information Systems department would not necessarily be expected to have expertise in safe handling of hazardous materials or evaluating incoming shipment packaging. Therefore, it would have been obvious to one of ordinary skill in the art at time the invention was made for a company using the Adams approval system for approving hazardous item requests to store data that require business rules pertaining to safety to identify an appropriate approver and/or information pertaining to safe receiving/handling of the requested item. For example, the requested item would be identified by the approver system as "hazardous liquid" rather than "software" requiring an approver responsible for incoming hazardous material shipments rather than person(s) from the Information Systems department responsible for software item requests.

It would have been obvious to try, by one of ordinary skill in the art at time the invention was made, for a company that requires shipment of hazardous items to store data that require business rules pertaining to safety to identify an appropriate approver and/or information pertaining to safe receiving/handling of the requested item and incorporate it into the

system of Adams since there are a finite number of identified, predictable potential solutions to the recognized need and one of ordinary skill in the art could have pursued the known potential solutions with a reasonable expectation of success. For example, the requested item would be identified by the approver system as “hazardous liquid” rather than “software” requiring an approver responsible for hazardous item requests rather than person(s) from the Information Systems department responsible for software item requests. Obviousness under 35 USC 103 in view of the Supreme Court decision *KSR International Co. vs. Teleflex Inc.*

Adams further teaches:

- Regarding claim 1. automatically determining an approver and any subsequent approver from the hierarchy based on an item in an item request, the subsequent approver being someone from whom approval must be obtained subsequent to approval being obtained from the approver; When a request is submitted, the system checks the approval rules of the company, decides which users need to approve the request and in what order (note: chain of command) and then notifies the first approver that there is a requisition waiting for attention. Each approver sees new requisitions in a folder of incoming requisitions and will need to take action to move it to a different folder. Adams: See at least col. 10, lines 60-67. high level approver/ low level approver (note: hierarchy of approvers). Adams: See at least col. 12,



lines 11-16. Next approver in the approval chain. Adams: See at least col. 11, lines 28-34. chain of command. Adams: See at least col. 12, lines 5-10. Note: approvers based on the line item. Adams: See at least col. 6, lines 5-7; col. 9, lines 17-21; col. 11, lines 55-62.

- Regarding claim 1. logging the approver into an application used to make item requests; all users of the system must be logged in and be authenticated. Adams: See at least col. 18, lines 1-4; col. 22, lines 62-67. When a request is submitted, the system checks the approval rules of the company, decides which users need to approve the request and in what order (note: chain of command) and then notifies the first approver that there is a requisition waiting for attention. Email notification message includes a URL hyperlink that points the approver directly to the system's Organizer software via a browser to display the requisitions waiting for this person's approval. Adams: See at least col. 4, lines 18-28.
- Regarding claim 1. displaying by the application a view containing a set of item requests to the approver containing all item requests from all requestors for which approval is requested from the approver, the set of item requests including a plurality of item requests from a plurality of requestors; When an approver goes to the Organizer Interface be it from a notification message, bookmark or some other hyperlink, the Organizer displays the incoming requisitions for that

approver showing the information in Table 3 for each requisition.

Adams: See at least col. 11, lines 1-6; Table 3.

- Regarding claim 1. Adams teaches all the above as noted under the 103(a) rejection and teach line item purchase approval and denial using an approver interface that facilitates purchase request processing along an approval chain of approvers. Gune '427 teaches a user interface for processing requests for approval. Gune '427 provides a software facility for processing approval requests ("the facility") that presents a single user interface, sometimes called an "approvals inbox," for reviewing and acting on approval requests (hereafter simply "requests") generated by a variety of different applications. For example, where requests to approve time sheets are generated using a time sheet application and requests to approve purchase orders are generated using a purchase order application, the facility presents a single user interface for reviewing and acting on both time sheet requests and purchase order requests. Gune '427: See at least abstract; Figs. 1-4; 0002-0018. Gune teaches generating a chain of subsequent approvers. See at least Table 1 and supporting figures. Gune on the other teaches batch approval/rejection (note: simultaneously approves all line items of a purchase request) not mentioned by Adams and line item approval/rejection as mentioned by Adams. Gune '427: See at least Fig. 8 (850, 860); Fig. 10 (1060);

0076; 0078; Fig. 9 (920, 940); 0077; Fig. 11 (1120, 1140); 0079. One of ordinary skill in the art at time the invention was made would have recognized that applying the known techniques of Gune's batch processing would result in faster processing by the approver and would have yielded predictable results and resulted in an improved system. It would have been recognized that applying the techniques of Gune to the teachings of Adams would have added batch processing that would result in faster processing by the approver. It would have been recognized that applying the techniques of Gune to the teaching of Adams would have resulted in receiving an approval determination for at least one of the set of item requests from the approver, wherein the receiving is adapted to receive a plurality of approval determinations from the approver simultaneously and would have yielded predictable results because the level of ordinary skill in the art demonstrated by the references applied shows the ability to incorporate such data processing features into similar systems. Obviousness under 35 USC 103 in view of the Supreme Court decision *KSR International Co. vs. Teleflex Inc.*

Adams and Gune '427 further teach and suggest:

- Regarding claim 1. updating an approver list corresponding to the at least one of the set of item requests based on the approval determination; modification of any purchase requisition field by an

approver results in the system recalculating the required approvals and invalidates any existing approvals for that line item or for the entire requisition. Modifying any field may trigger the addition of new approvers into the approval chain. Adams: See at least col. 11, lines 55-62. entering ad-hoc items not on the approved list of items will trigger new approval rules (e.g. adding purchasing department to the approval list). Adams: See at least col. 3, lines 46-56.

- Regarding claim 1. and in case that the hierarchy contains any subsequent approver and the approval determination by the approver is that of the at least one of the set of item requests being approved, automatically forwarding an approval message to the subsequent approver in the approver list after the updating step.

First approver is automatically notified in the order required.

Adams: See at least col. 4, lines 18-48; An approval will trigger any notifications specified in the business rules for the company, mark the request as approved for this approver, and add the request to the incoming folder for the next approver in the approval chain (i.e. subsequent approver notified by notification system previously cited). Adams: See at least col. 11, lines 27-34.

- Regarding claim 2. Adams: See at least col. 4, lines 5-11; col. 10, lines 1-21; col. 11, lines 47-col. 12, line 3. Gune '427: See at least Fig. 13; 0081.

- Regarding claim 5. Adams: See at least col. 6, lines 4-30; col. 6, lines 56-59; col. 12, lines 5-10; Table 9; col. 18, lines 1-4. Gune '427: See at least Fig. 4 (Core Services/Authentication & Access Control); 0059.
- Regarding claim 6. Adams: See at least col. 18, lines 24-67; Table 10. Gune '427: See at least Fig. 5 (Received); Fig. 7 (Received (pending), Approved, Rejected); Fig. 8 (880); Fig. 10 (1080).
- Regarding claim 7. Adams: See at least Table 7 (#2 (approved), #3 (pending); #9 (denied)); Table 10 (#2 (approved or denied), #8 (pending)); col. 11, line 1-col. 12, lines 47. Gune '427: See at least Fig. 5 (Received); Fig. 7 (Received (pending), Approved, Rejected); Fig. 8 (880); Fig. 10 (1080).
- Regarding claim 8. Adams: See at least Table 7 (#2 (approved), #9 (denied)); Table 10 (#2 (approved or denied)); col. 11, line 1-col. 12, lines 47. Gune '427: See at least Fig. 5 (Received); Fig. 7 (Received (pending), Approved, Rejected); Fig. 8 (880); Fig. 10 (1080).
- Regarding claim 9. Adams: See at least Standard Reports for all employees Table 7 (#3 (requisitions still to be approved, by whom), #5 (line item by approver). Gune '427: See at least Fig. 13; 0003; 0019; 0072; 0081.

- 2. Claim 3 is rejected under 35 USC 103(a) as being unpatentable over Adams (Paper #20101213, US 7,117,165), Dougherty (US 6,003,666) and Gune (Paper #20100718 mailed 22 July 2010, US 7,131,071 which incorporates by reference in its entirety US 2003/0204427 herein Gune '427, Paper #20100130) as applied to claim 1.**

Adams and Dougherty alone teach and suggest all the above as noted under the 103(a) rejection and teaches further teaches i) displaying by the application an informational message to the approver, prior to receiving the approval determination (Adams: See at least col. 4, lines 18-30; col. 18, lines 24-67), ii) either a requester or approver adding comments, asking questions, explanations and feedback to help approvers make a decision about whether to approve the request (Adams: see at least col. 4, lines 5-11; col. 4, lines 39-45; col. 10, lines 1-21. Note interpretation: comments, questions, explanations and/or feedback constitute a portion of an informational message), and further teach and suggest a business rule pertaining to safety requiring an approver for hazardous item request. Adams and Dougherty, however, do not expressly disclose at least a portion of the informational message pertaining to safety information. These differences, however, are only found in the data stored in the Adams approver system. It would have been obvious to one of ordinary skill in the art at time the invention was made for each company using the Adams approval system to store safety informational data i in order to communication safety information necessary to help approvers make decisions pertaining to hazardous items.

- 3. Claim 4 is rejected under 35 USC 103(a) as being unpatentable over Adams (Paper #20101213, US 7,117,165), Dougherty (US 6,003,666) and Gune (Paper #20100718 mailed 22 July 2010, US 7,131,071 which incorporates by reference in its entirety US 2003/0204427 herein Gune '427, Paper #20100130) as applied to claim 1.**

Adams and Gune teach and suggest all the above as noted under the 103(a) rejection and teach and suggest: i) integrating legacy systems (e.g. ERPs, HRMSs, E-mail systems) external to the system's server using adapters (see at least col. 2, line 64-col. 3, line 3), ii) notifying a user with an informational message using electronic mail that keeps all interested parties informed about what is going on with a particular requisition and iii) including a URL in the notification message that points the notified user to the system's Organizer software via the user's browser (as noted above). Adams and Gune further teach requiring users to log-in and be authenticated in order to use the system which features the Organizer software interface. It would have been obvious to one of ordinary skill in the art at time of invention to require a user not currently logged in and authenticated who is using a legacy system (e.g. legacy E-mail) and being pointed to the system's Organizer interface software would be required to log-in and be authenticated in order to use the system's Organizer software.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Pond whose telephone number is 571-272-6760. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Jeff Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Art Unit: 3625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert M. Pond/  
Primary Examiner, Art Unit 3625  
May 31, 2011